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Attorneys for Defendant and Counterclaim Plaintiff  
 EULER HERMES AMERICAN CREDIT INDEMNITY  
 COMPANY now known as EULER HERMES NORTH AMERICA  
 INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

MARBLE BRIDGE FUNDING GROUP,  
 INC.,  
  
 Plaintiff,  
  
 vs.  
 NATURE'S OWN PHARMACY, LLC, et  
 al.,  
  
 Defendants.

Case No.: 5:12-CV-02729-EJD

**DEFENDANT/COUNTERCLAIM  
 PLAINTIFF EULER HERMES  
 AMERICAN CREDIT INDEMNITY  
 COMPANY'S SUPPLEMENTAL  
 DISCLOSURES PURSUANT TO FED. R.  
 CIV. P. 26 (a) (3) (A) AND 26 (e)**

MARBLE BRIDGE FUNDING GROUP,  
 INC.,  
  
 Plaintiff,  
  
 vs.  
 EULER HERMES AMERICAN CREDIT  
 INDEMNITY COMPANY,  
  
 Defendant.

EULER HERMES AMERICAN CREDIT  
INDEMNITY COMPANY,

Counterclaim Plaintiff,

vs.

NATURE'S OWN PHARMACY, LLC,  
RICHARD WALLACE; RICHARD  
WALLACE, et al.,

Counterclaim Defendants.

Pursuant to Fed. R. Civ. P. 26 (a) (3) (A) and 26 (e), defendant and counterclaim plaintiff Euler Hermes American Credit Indemnity Company, now known as Euler Hermes North American Insurance Company ("Euler"), provides the following supplemental information about the evidence that it may present at trial other than solely for impeachment including (i) the name, address and telephone number of each witness Euler expects to present (\*) and those it may call if the need arises (\*\*); and (ii) designation of those witnesses whose testimony the party expects to present by deposition (taken stenographically) (†), and supplementing its prior disclosures and responses to discovery requests.

1. Cheryl Biggs\*, 912 Suntan Lane, Brentwood, California 94513-6978, tel. (925) 513-0098. Subject matter: Role as Operations Manager of Marble Bridge; dealings with Nature's Own and its representatives; Marble Bridge's investigation in January-February 2012 of the bona fides of Nature's Own, its "suppliers," its "customers" for invoiced goods and the "ship to" locations of invoiced goods; interaction with investigators; Marble Bridge's knowledge that none of the foregoing was bona fide and that the none of the invoices it had purchased from Nature's Own represented actual covered products shipped to a customer at the invoiced locations; Paul Candau's knowledge; Marble Bridge's interactions Creative Security Company, Inc., the investigative firm that was engaged to conduct a field investigation on behalf of Marble Bridge and results of such investigation.

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1           2. Catherine Schlomann Robertson\*\*, Pahl & McCay, 225 West Santa Clara St.,  
2 Suite 1500, San Jose, California 95113, tel. (408) 286-5100. Subject matter: Marble Bridge's  
3 investigation in January-February 2012 of the bona fides of Nature's Own, its "suppliers," its  
4 "customers" for invoiced goods and the "ship to" locations of invoiced goods; Marble Bridge's  
5 (including Paul Candau's) knowledge that none of the foregoing was bona fide and that the none  
6 of the invoices it had purchased from Nature's Own represented actual covered products shipped  
7 to a customer at the invoiced location; Marble Bridge's claim filing and antecedents; the  
8 factual/evidentiary basis of Marble Bridge's fraud and racketeering (RICO) claims against  
9 Nature's Own and its principals; drafting of complaint and pre-filing inquiry as to fraud/RICO  
10 action filed by Pahl & McCay; communications with Creative Security Company, Inc. and FBI re  
11 fraudulent activity of Nature's Own and its principals.  
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13           3. Gerri Lynn Denson Wynn\*†, 911 Northeast 48th Avenue Road, Ocala, Florida  
14 34470, tel. (352) 236-1090, (352) 591-3185. Subject matter: The fraudulent invoice scheme run  
15 by Marsha Kay Holloway a/k/a Anette Zimmerman; that the invoices submitted with Marble  
16 Bridge's claim were fraudulent and did not represent actual goods or shipments thereof; the  
17 operation of Marsha Kay Holloway's legitimate and illegitimate businesses in order to avoid  
18 detection of fraud; information regarding Marsha Kay Holloway, Nature's Own, U.S. Hay Direct  
19 LLC and other businesses, the invoices and bills of lading that are the subject of the claims in this  
20 case and communications.  
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22           4. Virginia L. Tubbs\*\*†, 3385 Southwest 97th Court, Ocala, Florida 34481-1589, tel.  
23 (352) 207-5034. Subject matter: Operation of Marsha Kay Holloway's legitimate and illegitimate  
24 businesses (including their alleged customers/Buyers), the invoices and bills of lading that are the  
25 subject of the claims in this case.  
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27           5. Charles (Chuck) Wall\*, Creative Security Company, Inc., 150 S. Autumn Street,  
28

1 Suite B, San Jose, California 95110, tel. (888) 352-4272. Subject matter: Investigation on behalf  
 2 of Marble Bridge in January-February 2012 as to the bona fides of Nature's Own, its "suppliers,"  
 3 its "customers" for invoiced goods and the "ship to" locations of invoiced goods; reports of the  
 4 progress and results of the investigation; Marble Bridge's knowledge that none of the foregoing  
 5 was bona fide and that the none of the invoices it had purchased from Nature's Own represented  
 6 actual covered products shipped to a customer at the invoiced location; report of fraudulent  
 7 activity to the FBI and Marble Bridge's dealings with the FBI; communications with Pahl &  
 8 McCay regarding investigation and results.  
 9

10 6. Creative Security Company, Inc.\*\*, 150 S. Autumn Street, Suite B, San Jose,  
 11 California 95110, tel. (888) 352-4272. Subject matter: Investigation on behalf of Marble Bridge  
 12 in January-February 2012 as to the bona fides of Nature's Own, its "suppliers," its "customers"  
 13 for invoiced goods and the "ship to" locations of invoiced goods; reports of the progress and  
 14 results of the investigation; Marble Bridge's knowledge that none of the foregoing was bona fide  
 15 and that the none of the invoices it had purchased from Nature's Own represented actual covered  
 16 products shipped to a customer at the invoiced location; report of fraudulent activity to the FBI  
 17 and Marble Bridge's dealings with the FBI; communications with Pahl & McCay regarding  
 18 investigation and results.  
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20 7. Richard W. Wallace\*\*, 712 93<sup>rd</sup> Avenue N., Saint Petersburg, Florida 33702-  
 21 3042, tel. (727) 76-0080. Subject matter: Nature's Own, how it was organized and operated as a  
 22 front for illegitimate activity; dealings with Karl Stehlin and "Anette Zimmerman"; how he was  
 23 duped into acting as a front for Nature's Own to conceal its actual ownership and control; how he  
 24 learned that Nature's Own was actually a scam; Euler's lack of knowledge of same.  
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26 8. Carey D. Fiertz\*\*†, 225 Taconic Road, Salisbury, Connecticut 06068, tel. (860)  
 27 435-0430. Subject matter: Non-coverage under policy; lack of basis for Marble Bridge's  
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1 misrepresentation claims.

2 9. J. Francis Fitzgerald, Jr.\*\*, 12160 W. County Road 500 S., Daleville, Indiana  
3 47334; tel. (765) 730-1444, Non-coverage under policy; lack of basis for Marble Bridge's  
4 misrepresentation claims; materiality of information withheld by Marble Bridge in filing its claim  
5 under the policy.  
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7 Dated: September 1, 2015

HALPERIN BATTAGLIA BENZIJA, LLP

8  
9 By: /s/ Neal W. Cohen

10 Neal W. Cohen  
11 Attorneys for Defendant and Counter-  
12 Claim Plaintiff EULER HERMES  
13 AMERICAN CREDIT INDEMNITY  
14 COMPANY now known as EULER  
15 HERMES NORTH AMERICA  
16 INSURANCE COMPANY  
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